

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - June 14, 1967

Appeal No. 9226 Peter C. Laganas, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on September 19, 1967.

ORDERED:

That the appeal for a variance from the floor area ratio requirements of the R-5-B District to permit apartments in basement with floor area ratio not to exceed 2.02 at 3520 Center Street, NW., Lots 11, 12, and 488, Square 2686, be denied without prejudice to refiling at any time.

FINDINGS OF FACT:

1. The subject property is located in an R-5-B District.
2. The property is improved with an apartment building containing twenty-eight units in four stories, consisting of five (5) efficiencies, eight (8) two-bedroom units and fifteen (15) one-bedroom units.
3. Adequate off-street parking spaces are provided to the rear of the building.
4. The present floor area ratio is slightly under the permissible 1.8 in that there are 17,997 square feet of building.
5. Appellant proposes to establish two apartment units in the basement of the building, thereby increasing the floor area ratio to 2.0125 square feet, a variation of approximately eleven (11) percent.
6. It is alleged that vandalism constitutes an exceptional situation and condition. Appellant seeks to have apartments occupy the basement to serve as a deterrent to misconduct and to preserve and protect the subject building.

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7. BZA File No. 9226 contains a petition in support of this appeal. No objection to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the appellant has failed to show a hardship as required under the variance clause of the Zoning Regulations. Further, to grant this subject appeal based on the information submitted as evidence of an existing hardship would clearly impair the intent, purpose and integrity of the Zoning Regulations.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board
